

REMARKS

This Amendment is respectfully submitted to place rejected claims of subject Application in condition for allowance. Claims 2, 5 to 8, and 10 to 12 inclusive have been canceled without prejudice. 5 The Claims 1 and 34 have been amended to more clearly point out the patentable subject matter of Applicants novel invention.

In particular, Claim 1 has been amended to recite the critical steps of Applicants' novel process, which are:

contacting said feedstock with an oxygen-containing gas in an
10 oxidation zone at oxidation conditions comprising elevated
temperatures in a range from about 200 degrees F to about
450 degrees F in the presence of solid oxidation catalyst
comprising a cobalt containing component present in the
oxidation catalyst in an amount ranging from 2 to 20
15 percent by weight and a basic support comprising a member
of the group consisting of calcium oxide and magnesium
oxide, and

recovering an effluent stream distillate having an oxygen
content incorporated therein in a range of 0.2 to 20 percent by
20 weight and a TAN number of less than 2 mg KOH/g.

Support for amended Claim 1 is found in the Specification, for example at page 5, lines 26 to 28, page 7, lines 9 and 10, and lines 26 to 28, and canceled Claims 2, 5 to 8 and 11 to 12.

Claim 34 has been amended to recite the critical steps of
25 Applicants' novel process, which are:

contacting said feedstock with an oxygen-containing gas in an
oxidation zone at oxidation conditions comprising elevated
temperatures in a range from about 250 degrees F to about
350 degrees F in the presence of solid oxidation catalyst
30 comprising cobalt and a basic magnesium oxide containing

support, in an amount ranging from 4 to 12 percent by weight based on the total weight of the catalyst and magnesium oxide and recovering an effluent stream distillate having an oxygen content incorporated therein of about 1.8 to about 10 percent by weight and a TAN number less than about 1 mg KOH/g.

Support for amended Claim 34 is found in the Specification, for example at page 5, lines 26 to 28, and canceled Claim 6.

Claim Rejections - 35 U.S.C. § 102(b)

Applicants note with appreciation that Examiner Nguyen has withdrawn rejection of claims 1 and 2 under 35 USC § 102(b) in view of the amendment filed on September 13, 2006.

Claim Rejections - 35 U.S.C. § 103(a)

In outstanding Office Action, Claims 1 to 8, 10, 11, and 34 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Brownawell et al. (EP-0252 606) in view of Galuszka et al. (USP 5,637,259). Applicants respectfully traverse these rejections.

It is the position of Applicants that the combination of the Brownawell et al. and the Galuszka et al. references of record, as relied upon by Examiner, does not suggest Applicants' novel process as recited in instant claims.

In particular, Applicants' process uses a preselected solid oxidation catalyst comprising a cobalt containing component present in the oxidation catalyst in an amount ranging from 2 to 20 percent by weight and a basic support comprising a member of the group consisting of calcium oxide and magnesium oxide. Effluent from the oxidation step, at elevated temperatures in a range from about 250 degrees F to about 350 degrees F, was found to have the desirable combination of an oxygen content incorporated therein of about 1.8 to about 10 percent by weight and a TAN number less than about 1 mg KOH/g.

Attention of Examiner is invited to inspect Run No. 42 and Run No. 43 in Table II at page 14 in the Specification which demonstrated the efficacy of Applicants' novel invention to achieve oxygen levels above 1.8 percent by weight, in fact above 2, while
5 controlling TAN numbers to unexpected low levels less than 1 mg KOH/g.

It is the position of Applicants that instant Claims 1, 3, 4 and 34 are now commensurate in scope with the evidence presented in Table II in the specification which shows the advantage of
10 applicants' novel process.

Base on the amendments submitted herein, Applicants urge that Claims 1, 3, 4, and 34, all claims now presented, are in condition for allowance. Applicants respectfully request Examiner Nguyen to pass subject application for allowance.

15 Do not hesitate to contact Frederick S. Jerome whose telephone number is (630) 832-7974 (FAX (630) 832-7976) if additional assistance is needed regarding this paper or earlier papers for Applicants.

Applicants and their undersigned Attorney appreciate
20 Examiner's attention and further consideration of this matter.

Respectfully submitted,



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